

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS & JOHN

UNITED STATES DEPARTMENT OF	)	
AGRICULTURE RURAL HOUSING	)	
SERVICE f/k/a FARMERS HOME	)	
ADMINISTRATION,	)	Civil No. 2006-205
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
JULIE E. FALERO a/k/a JULIE FALERO,	)	
a/k/a JULIE E. HARRIGAN, Deceased,	)	
AUBREY HARRIGAN, MARIO HODGE, TASHA	)	
HODGE, TANGENIQUE HODGE, RUDEL	)	
HODGE, TANESHA HODGE a/k/a TENESHA	)	
HODGE, all heirs, successors and	)	
assigns, and all persons claiming a	)	
lien, title, estate or interest in	)	
and to 173-158 Estate Anna's	)	
Retreat, St. Thomas,	)	
	)	
Defendants.	)	
	)	

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ATTORNEYS:

Flavia E. Logie, Esq.  
St. Croix, U.S.V.I.  
*For the plaintiff.*

Aubrey Harrigan  
*Pro se defendant.*

Mario Hodge  
*Pro se defendant.*

Tasha Hodge  
*Pro se defendant.*

Tangenique Hodge  
*Pro se defendant.*

**Rudel Hodge**

*Pro se defendant.*

**Tanesha Hodge a/k/a Tenesha Hodge**

*Pro se defendant.*

**ORDER**

**GÓMEZ, C.J.**

Defendant Julie E. Falero a/k/a Julie Falero, a/k/a Julie E. Harrigan, Deceased ("Falero"), executed a number of notes, mortgages and agreements (collectively, the "Obligations") with plaintiff the United States Department of Agriculture Rural Housing Service f/k/a Farmers Home Administration (the "Plaintiff"). The Obligations were secured by property owned by Falero known as Parcel No. 173-158 Estate Anna's Retreat, No. 1 New Quarter, St. Thomas, U.S. Virgin Islands (the "Property").

On or about April 19, 1996, Falero died. She was survived by her spouse, *pro se* defendant Aubrey Harrigan, and the other named *pro se* defendants in this matter, Mario Hodge, Tasha Hodge, Tangenique Hodge, Rudel Hodge, and Tanesha Hodge a/k/a Tenesha Hodge (collectively, the "Named Defendants").

The Plaintiff brought this debt and foreclosure action in November, 2006, alleging that Falero had defaulted on her payments under the Obligations. In addition to the Named

Defendants, the Plaintiff brought this action against "all heirs, successors and assigns, and all persons claiming a lien, title, estate or interest" in the Property.

On May 10, 2007, on the Plaintiff's motion, the Court entered defaults against Mario Hodge and Tanesha Hodge a/k/a Tenesha Hodge. The Plaintiff thereafter moved for default judgments against all of the Named Defendants.

The record does not reflect whether Falero died testate or intestate, or whether Falero's estate was submitted to probate. Nor does the record reflect whether Falero's heirs have been ascertained. The record also does not indicate who currently possesses legal title to the Property.

Consequently, the Court ordered the parties to file briefs with the Court, with citations to appropriate statutory and case law, addressing (1) the status of the Property in light of certain provisions of the Virgin Islands Code, and (2) what effect, if any, those provisions have on the liability of Falero's heirs under the Obligations. In response to that order, the Plaintiff filed a motion to stay this action, stating that it was in the process of filing a probate action.<sup>1</sup>

On February 15, 2008, the Court granted the Plaintiff's motion and stayed this matter for thirty days from the date of

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<sup>1</sup> No other party filed a brief.

that order. The Court stated in that order that, no later than one week after the expiration of the thirty-day stay, the Plaintiff was to file a notice with the Court indicating whether it intended to pursue this action. The Court further indicated that a failure by the Plaintiff to file such a notice might result in the dismissal of this matter without prejudice.

The Plaintiff has filed nothing with the Court since the February 15, 2008, order.

The premises considered, it is hereby

**ORDERED** that this matter is **DISMISSED** without prejudice; and it is further

**ORDERED** that the Clerk of Court shall **CLOSE** this case.

S\\_\_\_\_\_  
CURTIS V. GÓMEZ  
Chief Judge

**Copies to:** Flavia E. Logie, Esq.  
Aubrey Harrigan, *Pro se*  
Mario Hodge, *Pro se*  
Tasha Hodge, *Pro se*  
Tangenique Hodge, *Pro se*  
Rudel Hodge, *Pro se*  
Tanesha Hodge a/k/a Tenesha Hodge, *Pro se*